

09-16 on

19

DAC
PATENT
450101-02844

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE RECEIVED

Applicant(s) : Toshihiro MORITA et al.

SEP 20 2004

Serial No. : 09/889,023

OFFICE OF PETITIONS

For : **INFORMATION PROCESSING APPARATUS AND
METHOD, AND PROGRAM STORAGE MEDIUM**

Filed : January 10, 2002

Examiner : CHEN, Susan

Art Unit : 2171

745 Fifth Avenue, New York,
New York 10151

EXPRESS MAIL

Mailing Label Number: ED 109903500 US

Date of Deposit: September 14, 2004

I hereby certify that this paper or fee is being deposited with the
United States Postal Service "Express Mail Post Office to Addressee"

Service under 37 CFR 1.10 on the date indicated above and
is addressed to: Commissioner for Patents, Box 1450, Alexandria,
VA 22313-1450

Chiaki Kokka

(Typed or printed name of person mailing paper or fee)

(Signature of person mailing paper or fee)

**PETITION UNDER 37 CFR 1.137(b) TO REVIVE
AN UNINTENTIONALLY ABANDONED APPLICATION**

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This petition is being filed to revive the above-identified application in response to the
Notice of Abandonment mailed on September 7, 2004.

Accompanying this petition are:

09/17/2004 WABDEL3 00000002 09889023

01 FC:1453

1330.00 OP

1. A corrected Amendment in reply to the outstanding Office Action dated January 30, 2004;
2. The petition fee of \$1,330 as set forth in 1.17(m); and
3. A statement (contained in this Petition) that the entire delay was unintentional.

STATEMENT

This application became abandoned on July 31, 2004 for failure to respond to the Office Action dated January 30, 2004. A Notice of Abandonment was mailed on September 7, 2004.

Petitioners state that the entire delay in filing the accompanying corrected Amendment was caused by an inadvertent error in the serial number provided on the original Amendment, timely filed on April 26, 2004, in response to the January 30th Office Action. Applicants received a return postcard date stamped April 28, 2004, by the United States Patent and Trademark Office, verifying receipt of the original Amendment. Accordingly, Applicants believed a proper response was timely filed to the outstanding Office Action. Unfortunately, the Amendment, the accompanying fee transmittal form, and the return postcard each referenced incorrect application serial no. 09/899,023; rather than the correct serial no. 09/889,023. (A copy of each is enclosed) Applicants were not aware of this serial number error until receipt of the Notice of Abandonment on September 7, 2004. Applicants believe these facts resulted in an unintentional abandonment of the present application.

Applicants respectfully request that the accompanying corrected Amendment be entered and examined, and that this application be reinstated due to the above circumstances.

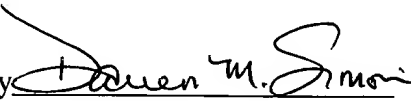
Applicants check in the amount of \$1,330.00 as required by C.F.R. § 1.17(m) is enclosed.

Please charge any additional fees or credit any overpayment for this application to Deposit Acct.

No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG, LLP
Attorneys for Applicants

By 

Darren M. Simon
Reg. No. 47,946
(212) 588-0800